



Appeal Decision

Site visit made on 30 September 2026

by Zoë Franks, Solicitor

an Inspector appointed by the Secretary of State

Decision date 15 October 2026

Appeal Ref: APP/M2515/C/25/3364811

21-23 Clasketgate, Lincoln, LN2 1JJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Lincoln Taxi Property Ltd against an enforcement notice issued by City of Lincoln Council.
 - The notice was issued on 2 April 2025.
 - The breach of planning control as alleged in the notice is replacement of timber shopfront with aluminium door and windows and the installation of a serving hatch.
 - The requirement of the notice is removal of unauthorised door, windows and serving hatch.
 - The period for compliance with the requirement is six months.
 - The appeal is proceeding on the ground set out in section 174(2)(f) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Procedural matter

2. Planning application reference 2024/0106/FUL for retrospective permission for replacement of existing timber shopfront with new aluminium door and windows to part of frontage, including provision of a secure hatch (Retrospective) (Resubmission of planning permission 2023/0348/FUL) was refused on 9 October 2024.
3. The parties were informed that the ground (a) appeal was barred because the notice was issued within two years of the date on which the related application for planning permission for the development ceased to be under consideration.
4. The appeal is therefore proceeding on ground (f) only, and the planning merits of development cannot be taken into account as there is no ground (a) appeal or deemed planning application.

Ground (f)

5. This ground of appeal is that the steps required by the notice to be taken exceed what is necessary to remedy any breach of planning control which may be constituted by the matters stated in the notice, or as the case may be to remedy any injury to amenity which has been caused by the breach. The purpose of the notice is to remedy the breach of planning control. As the notice requires the removal of the unauthorised development, it does not require any more than was necessary to remedy the breach. There is no obviously alternative before me which would achieve this purpose.

6. The appellant has provided information about the reasons that he undertook the works, and how they affect the character and appearance of the area and Cathedral and City Centre Conservation Area. However, these submissions go to the planning merits of the development which are not relevant when dealing only with a ground (f) appeal.
7. The appeal does not therefore succeed.

Zoë Frank

INSPECTOR